

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case Number: 09-20591

Honorable Thomas L. Ludington

DAVID LAMAR CHAPMAN,

Defendant.

**ORDER ADOPTING REPORT AND RECOMMENDATION, ACCEPTING  
DEFENDANT'S PLEA OF GUILTY AS TO COUNT TWO OF THE INDICTMENT,  
AND TAKING THE RULE 11 PLEA AGREEMENT UNDER ADVISEMENT**

A plea hearing was conducted on October 22, 2010, by United States Magistrate Judge Charles E. Binder pursuant to the defendant's consent. The magistrate judge issued his report on October 25, 2010, recommending that this Court accept the defendant's plea of guilty as to count two of the indictment. As of today's date, no party has filed any objections to the magistrate judge's report and recommendation. The election to not file objections to the magistrate judge's report releases the Court from its duty to independently review the record. *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

Accordingly, it is **ORDERED** that the magistrate judge's report and recommendation [Dkt. #48] is **ADOPTED**.

It is further **ORDERED** that the defendant's plea of guilty as to count two of the indictment is **ACCEPTED**, and the Rule 11 Plea Agreement [Dkt. #47] is taken **UNDER ADVISEMENT**.

s/Thomas L. Ludington  
THOMAS L. LUDINGTON  
United States District Judge

Dated: April 29, 2011

**PROOF OF SERVICE**

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on April 29, 2011.

s/Tracy A. Jacobs

TRACY A. JACOBS